
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA

Plaintiff,

v.

GORDON JAMES ANDREW,

Defendant.

**MEMORANDUM DECISION AND
ORDER DENYING [39] DEFENDANT’S
MOTION FOR EARLY TERMINATION
OF SUPERVISED RELEASE**

Case No. 2:23-cr-00019-DBB-JCB

District Judge David Barlow

This matter is before the court on Defendant Gordon James Andrew’s Motion for Early Termination of Supervised Release, which he has filed pro se.¹ The government objects to the motion. For the reasons discussed below, the Court denies the Motion.

Mr. Gordon was convicted of 18 U.S.C. § 2252(a)(2) (Receipt of Images of Minors Engaged in Sexually Explicit Conduct) and sentenced to a term of imprisonment of 84 months to be followed by 60 months of supervised release. Defendant’s regularly scheduled supervision expiration date is November 21, 2027. In his Motion, Mr. Gordon relates his experience with being investigated and arrested, his time in jail, and his thoughts about mandatory minimum laws, his representation in his case, and his desire to have this supervised release terminated early, among other things. He also relates that his wife helps him not reoffend.

18 U.S.C. § 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is (1) warranted by the conduct of an

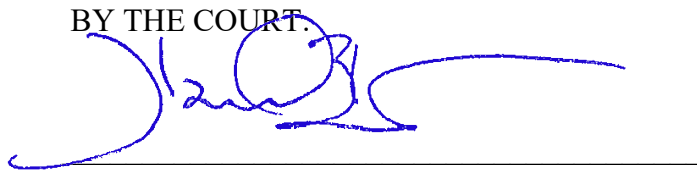
¹ Docketed August 2, 2024.

offender and (2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

Considering these factors, the Court finds that termination of Mr. Gordon's supervised release is not appropriate. The nature of his offense, receipt of images of minors engaged in sexually explicit conduct, is extremely serious. So are the circumstances. According to the Presentence Report, Mr. Gordon possessed numerous images of very little children being sexually assaulted. The number of images and videos he possessed was massive, many thousands of images or videos, and these had been collected over a period of years. The Court has reviewed the entirety of the Presentence Report and Mr. Gordon's letter. While more might be said, the seriousness and risk associated with the nature of this offense and the particular circumstances surrounding Mr. Gordon's offense clearly require that supervision continue. Continuing supervision at this time will further deter him from any future crime, sends the right general deterrence message, will promote his full rehabilitation, and additionally promotes respect for the law and a just punishment for the offense. It is therefore ORDERED that Defendant's Motion for Early Termination of Supervised Release is DENIED.

DATED this 2nd day of August, 2024.

BY THE COURT.

A handwritten signature in blue ink, appearing to read 'David Barlow', is written over a horizontal line.

David Barlow
United States District Judge